Site Information

Ownership & Availability

Page 38

How They Relate…
Library Planning Documents

Community Library Needs Assessment

Library Plan of Service

Library Building Program

Site Selection

Architectural Plans

Why Decide on a Site at Time of Application?

- **If site is identified:**

  - ◆ Project will move forward more quickly

  - ◆ Site costs are known for project budget

  - ◆ Assurance site will be available

  - ◆ "Appropriate Site" is a Bond Act Review Factor

  - ◆ Architect can develop plans

Site Ownership
Page 24

- Projects may be built on sites that are:

  - Purchased
  - Donated
  - Leased
  - Lease-purchase

When Must the Site Be Owned by Applicant? Page 24

- At time of application…

  - Ownership is <u>not</u> required

  - "<u>Control of site</u>" is required

    - Guarantees site availability

"Control" of Project Site
Page 24-25

- Submit **one** of the following:

  - If Site is Owned:
    -   Verification of Ownership

  - If Site is not Owned:
    -   Option to Purchase Site
    -   Agreement to Donate Site
    -   Lease Agreement
    -   Lease-purchase Agreement

Lease & Lease-Purchase Agreements
Page 71

  📖 **Applicants must submit a copy of the agreement:**

- ◆ May be Contingent on Grant

- ◆ Must Comply with Appendix 6

  📖 Two Legal Opinions that Agreement is legally binding

      (For Lessor & Lessee)

Building Acquisition
Page 25

■ At the time of application, applicant must submit one:

    📖 Verify Ownership

    📖 Have an Option to Purchase

    📖 Have a Donation Agreement

☞ *Buildings <u>may not</u> be acquired by lease or lease-purchase*

Marketable Record Title Page 21

■ Definition:

◆ "… means that the title to the property shall … be in a condition that an informed and **reasonable buyer**, exercising **reasonable care**, would and should accept it."

Marketable Record Title Required at Application Page 21

📖 Preliminary Title Report

- If Site owned by Applicant,
  - <u>Applicant</u> must show proof

- If Site Donated, Applicant must
  - <u>Obtain proof from Donor</u>

- If Site Leased, Applicant must
  - <u>Obtain proof from Lessor</u>

- If Site Lease-Purchased, Applicant must
  - <u>Obtain proof from Lessor</u>

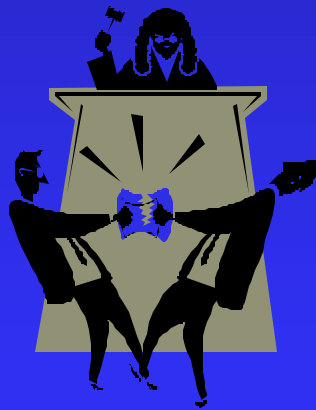# Why Get a Title Report?

- Title problems could:
  - Make the Site Unusable
    - Unacceptable Exception that Cannot be Removed
  - Slow Down the Project
    - Takes Time to Remove Some Exceptions
  - Increase Project Budget
    - May have to buy out previous owners' interests

Title Exception Examples

- Clause that property reverts to City if not used as…

- Interest of heirs still unresolved

If There Are Title Exceptions…
Page 22

 📖 Applicant's Legal Counsel's Written Opinion Indicating:

  ◆ The exceptions do not:

   ◆ Diminish the use of the property for a public library building, or

   ◆ Diminish or limit the State's Interest in the property.

Boundary Survey
Page 23

📖 A Boundary Survey must be submitted

- Stamped & Signed by Licensed Land Surveyor

- Show metes and bounds for proposed project site

- Multipurpose Projects:
  - Show entire project site

Recording the Title
Page 22

- At project completion, State's interest must be recorded for:

  - ◆ The Building

  - ◆ The Site (Unless Leased)

- Must provide for 40 years of direct public library service

Appraisals

Determining the Value of Land and Buildings

Why Do an Appraisal?

- Demonstrates the Fair Market Value for Property

- Ensures Applicant gets fair value from State

- Basis of 65% State grant

When is an Appraisal Necessary?
Page 14

📖 An Appraisal must be submitted, if property will be claimed as:

- ◆ An eligible cost, and

- ◆ Local matching credit

# When is an Appraisal NOT Necessary?
Page 9

- Property that <u>can't</u> be claimed as an eligible cost and credit:

    - Property obtained by Lease or Lease-purchase Agreement

    - "Land already dedicated to the operation of an existing public library"

    - Land acquired with funds from the 1998 School Bond Act

When Must the Appraisal Be Done? Page 1

- <u>No more than one year prior</u> to the application deadline!

  - ◆ Ensure <u>current</u> fair market value
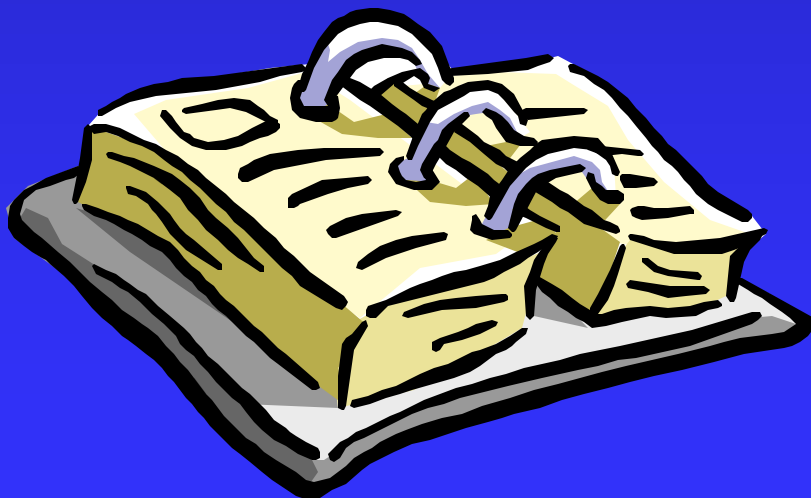
Who Completes the Appraisal?
Page 14

- Must be done by:

  - Licensed State Certified General Real Estate Appraiser

    - Ensures consistent quality

  - Independent Appraiser

    - Not an Employee of Applicant,
    - Nor the Library Service Provider,
    - Nor Seller of Property

How Do I Find a State Licensed Appraiser?

- Listing of State Licensed Appraisers:

  - www.olc.library.ca.gov

    - "Finding Professionals" Link

      - Under "**Appraisers**" click on:

      - **California State Certified General Real Estate Appraisers**
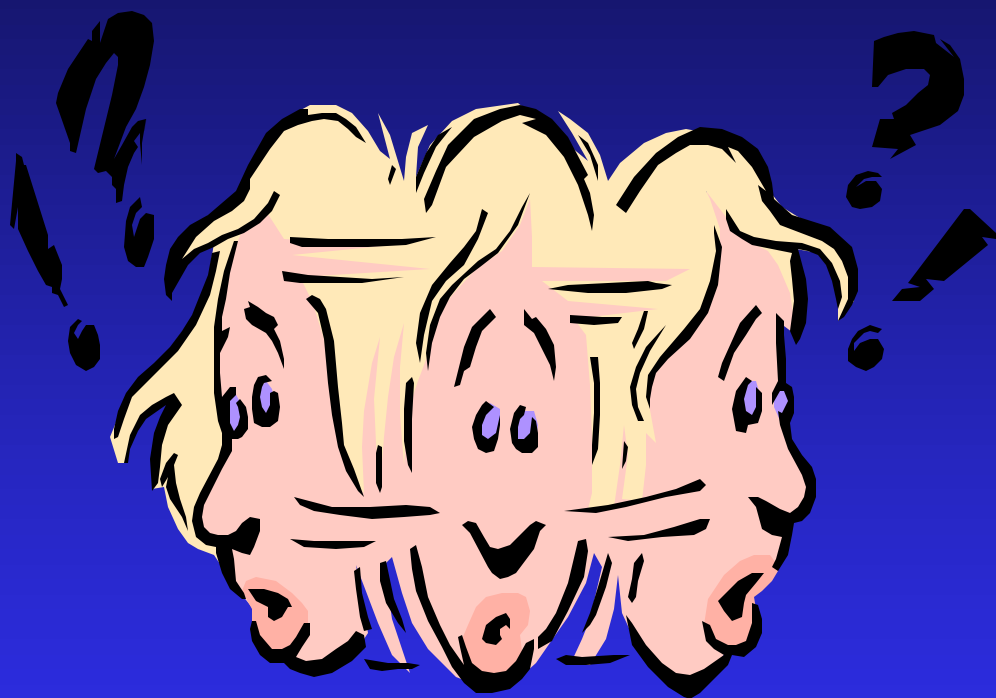
        - Type in Name of City

How Must the Appraisal Be Done? Page 14

- Appraised for:
  - "Best and Highest Use"

- Conform with Real Estate Appraiser's Licensing & Certification Law

  (Business and Professions Code sections 22300 et seq)

Site Use Potential

Page 39

7 Bond Act Review Factors

- Needs of Urban and Rural

- Population Growth

- Age and Condition of Library

- Needs of Residents
  - Existing Library
  - Proposed Project

- Appropriate Use of Technologies

- **Appropriate Site**

- Financial Capacity to Operate
  (Only for New Public Libraries)

Why is Use Potential Important?

- The Bond Act exact wording:

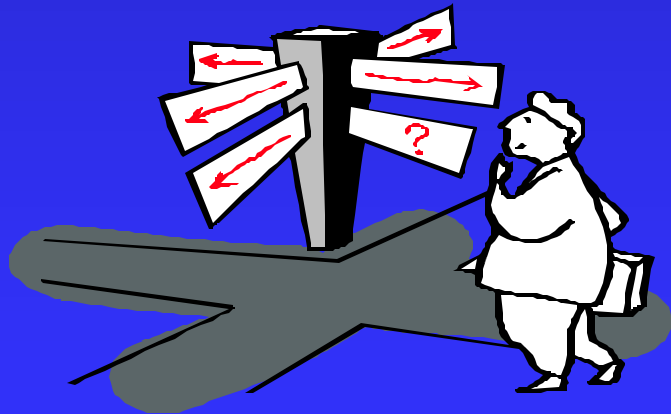(6) "The degree to which the proposed site is appropriate

- **for the proposed project**

- **and its intended <u>use</u>."**

What is Site Use Potential?

∗ **<u>Accessibility</u>** for Residents

∗ **<u>Visibility</u>** of Library Building

∗ **<u>Community Context</u>**

Accessibility

*   Accessibility Fairness…

    ◆   Equal Access

■   Modes of Access…

    ◆   Automobile

    ◆   Public Transit

    ◆   Pedestrian

    ◆   Bicycle

Equal Access
Page 39
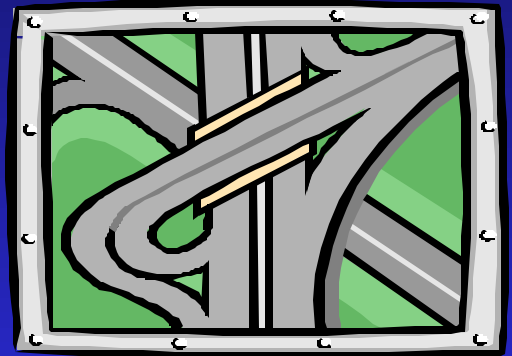
- Fair for <u>All</u> Residents

  - Geographically Central in the Library Service Area

    - Distance

    - Population Distribution & Density

  - Civic & Business Centers

    - Post Office

    - Retail Shopping

    - Banks

Barriers to Access

- Natural and Artificial Barriers
  - Freeways
  - Rivers
  - Railroads

- Physical Accessibility of Site
  - Site Elevation

Public Transit Access
## Page 39

- Number of Public Transit Stops within ¼ mile of site

  - <u>Existing</u> Stops Only

- No penalty for areas without public transit

  - Enter: "No Public Transit Service"

  - Discuss Planned Stops in the Box

Why Proximity to Transit?

- Increases Use
  - Near as many stops as possible
  - Near a hub even better
  - Near as many different transit lines as possible
  - Number of runs per day (Frequency)
 - Number of Passengers (Volume)
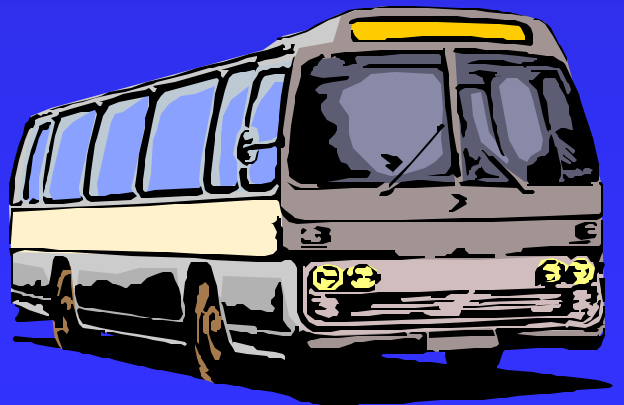
Pedestrian & Bicycle Access
Page 40

- What paths are planned?

- Where they will come from?
  - Shopping Centers
  - Governmental Centers
  - Schools
  - Homes

- Where Will They Be Going?
  - Main & Special Entrances?

- Bicycle Parking
  - Adequate Number
  - Location
  - Sheltered & Secure

Automobile Access
Page 40

- Majority of Users will come to the Library by Automobile!

- Demonstrate how Automobile Access will be Maximized

  - Near Major Thoroughfares

  - Traffic Flow & Systems

  - Availability of Curb Cuts

  - Accessible from Multiple Streets
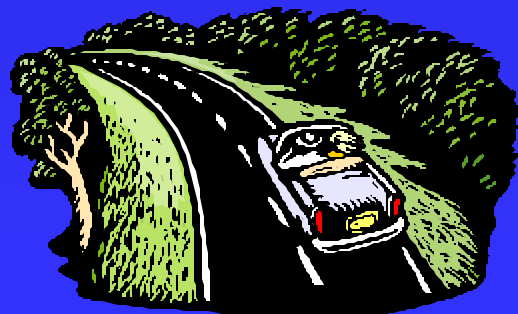
Major Thoroughfares
Page 40

- Proximity will Increase Use

- Traffic Count Relative to Locale
  - Highest Count for YOUR Area
  - Urban & Rural Not Comparable

- Cost of Site is Usually Higher
  - Return on Dollar Is Also Higher
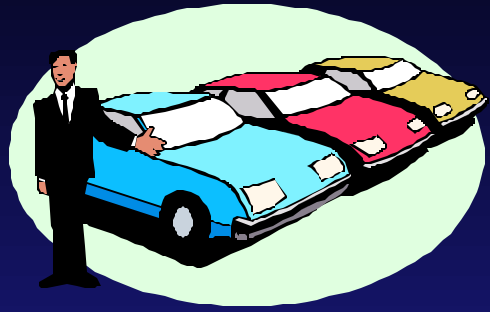 - Amortize Site Cost over 40 Years

Site Map Requirements
Page 24

  📖   Applicants must provide a map showing:

- Location of the Proposed Site

- Project's Library Service Area

- Major Thoroughfares

- K-12 Public Schools

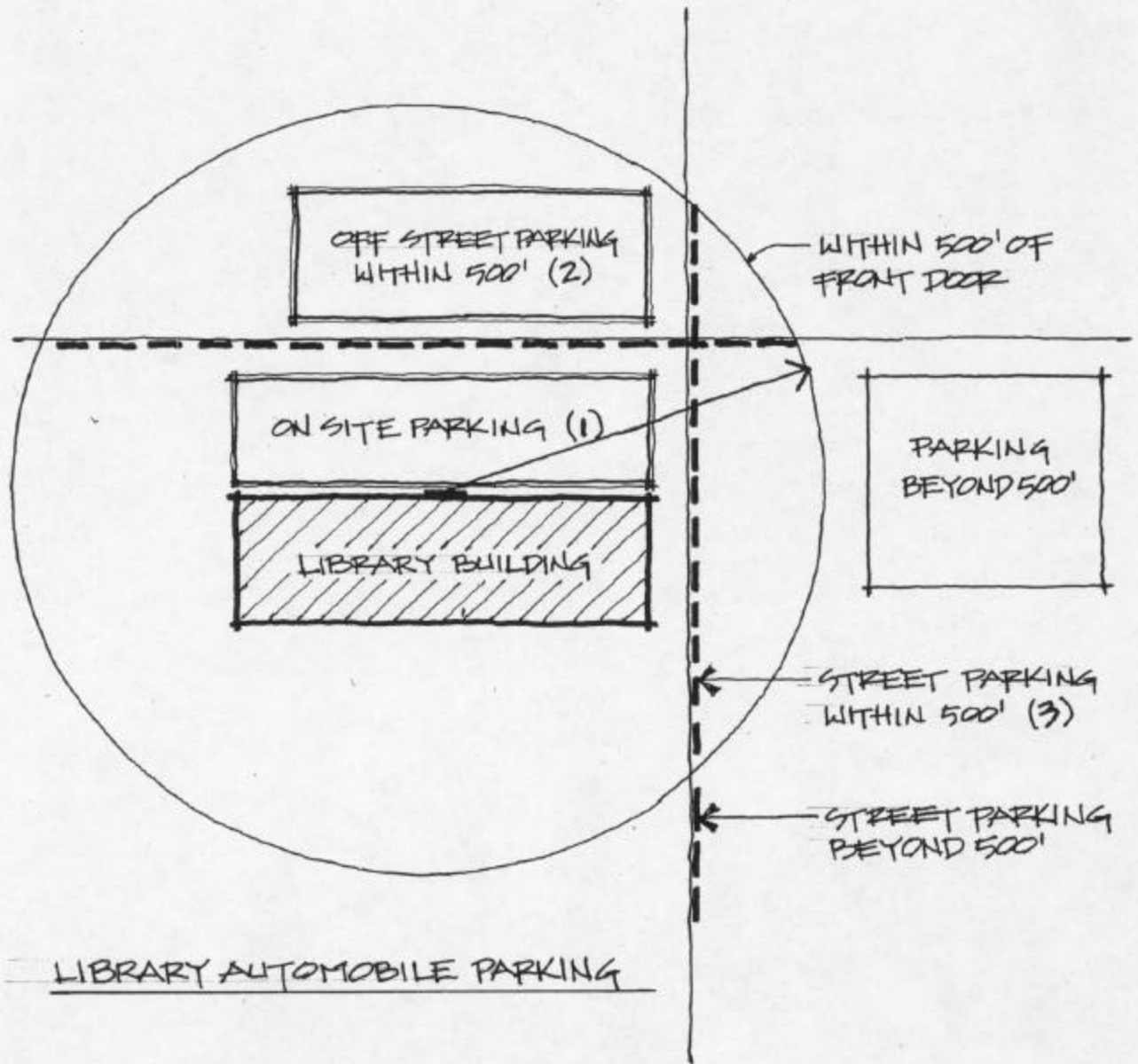- Major Retail Business Centers
  - Relative to your community

Library Automobile Parking
Page 41

- **User Preferences:**
  - Dedicated to Library Patrons
  - Within 500' of Front Door
  - Outside 500' of Front Door

- **Location of Parking**
  - Off-street, On-site Spaces
  - Off-street, Off-site Spaces
  - On-street Spaces
  - Total Number of Spaces

Use Potential & Location of Parking

OFF STREET PARKING WITHIN 500' (2)

WITHIN 500' OF FRONT DOOR

ON SITE PARKING (1)

PARKING BEYOND 500'

LIBRARY BUILDING

STREET PARKING WITHIN 500' (3)

STREET PARKING BEYOND 500'

LIBRARY AUTOMOBILE PARKING

Adequate Parking Close to Front Door

- Means "Equal Access" for:

  - Senior Citizens

  - Patrons with Health Issues

  - Caregivers w/ Small Children

  - Patrons w/ Arms full of Books

Zoning Requirements
Page 41

- **On-Site Spaces Required by Zoning**

    - Zoning Reduction Variance

- **Parking-to-Building SQ FT Ratio**

    - Published Ratio is 1-2 SQ FT of Parking for each SQ FT of building

    - Differences for Urban & Rural

        - Public Transit Option

    - No one complains about <u>too much</u> parking!
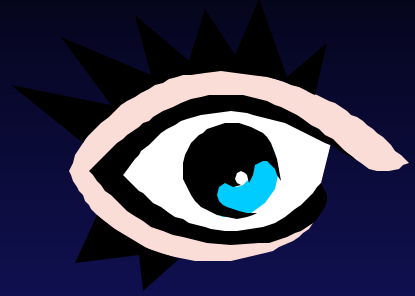
Parking Rationale
Page 42

- Your Chance to Describe How You're Providing Adequate Parking

- Each Community Differs

- If Shared Parking: (Page 25)
  - 📖 Parking Shared Use Agreement must be submitted

Visibility
Page 42

- Visibility = Use Potential

- Visibility…
  - Library Service Area Residents
    - Consider Non-Users
  - From Major Thoroughfares
  - Method of "Advertising"
    - View of Interior of Library
    - Signage
  - Civic & Cultural Landmark

Community Context & Planning
Page 43

- Will the library be integral to the community?

- The Library's Proximity to the Community Center enhances <u>use</u>
  - It's good for both!

- A Community's Center is Relative
  - Suburban
  - Rural
  - Urban

Site Visual Record
Page 24

 📖 A Site "Visual Record" must be submitted for:

- ◆ New Construction

- ◆ Additions to Existing Libraries

- ◆ Conversion Projects

- ■ A Picture = A Thousand Words

- ◆ Helps us see what you see

Site Visual Record Requirements
Page 24

- Site Views are in the Regulations
  - Needs to show the site
  - What's around the site

- Visual Record may be Photographs or Videos
  - Ask staff re: software compatibility

- Photos & Videos Must be Labeled
  - Project Name
  - Applicant Name

Site Selection Process
Page 43

- Community Involvement:
  - It's Critical!
  - Helps Identify Best Site
  - Builds Sense of Ownership

- Planning Departments
  - Have Valuable Information
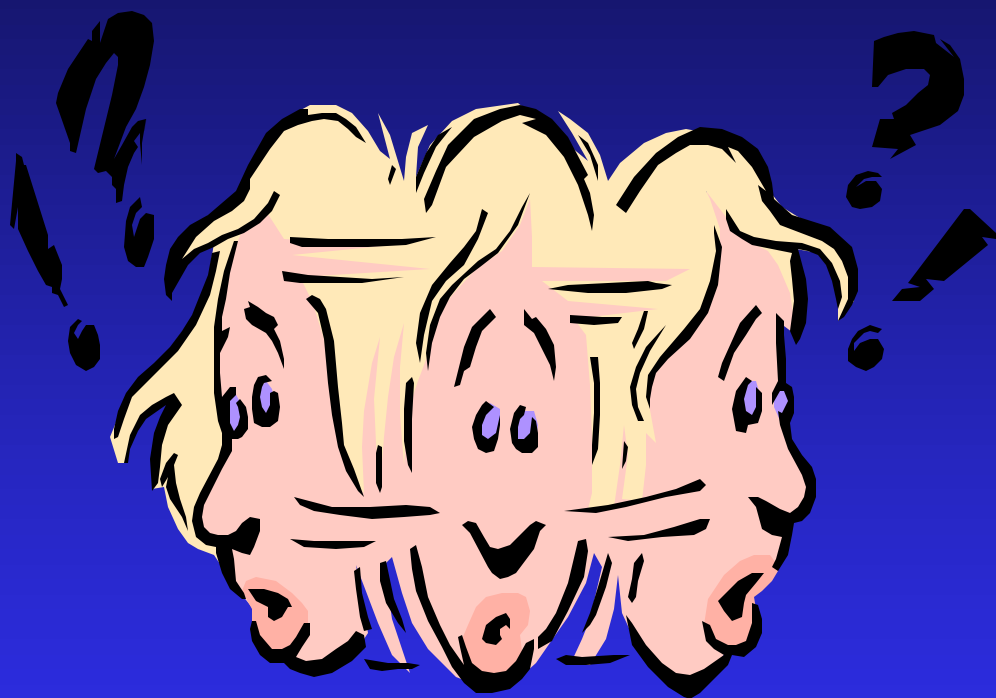
- Consultants
  - Provide Comparative Analysis

Site Selection Summary
Page 44

- Site selection is crucial to use
  - Why there's a big box!

- Your opportunity to "sell" site

- Why is this the <u>best</u> site?

- **Can negative aspects be fixed?**

- Summarize Major Aspects

Site Description

Page 45

Size of the Site
Page 45

- Will the library you need fit the site?
  - Building
    - Future Expansion
  - Parking
    - Lot
    - Surface Structure
    - Under-Building
    - Future Expansion
  - Set-Backs
    - Local Zoning
    - Aesthetic & Amenities
  - Miscellaneous / Unusable

How Will You Know All This?

- Planning documents lead you to building square footage

- Planning Department can provide zoning requirements

- Architect and Engineers can assist with site plan

Size of Multipurpose Building Project Sites
Page 45

- Same Approach, but More Complex
  - Dedicated to Library
  - Dedicated to Other Uses
  - Common Areas

- Pro Rata Share of the Site
  - Different than for the Building

- Calculation Must Be Reasonable
  - Explainable to an Auditor

Zoning
Page 46

- Current Zoning Class?

- Impacts Project Timetable
  - Rezoning Needed?

  - Variance Needed?

Permits and Fees

- Can be overlooked & costly
  - 35% vs.100% Local Funds?

- Eligible Project Costs
  - "Site Acquisition" Cost
    - Development Fees
      - Coastal Commission Fee
      - Utilities Connections Fee

- Architect & Local Planning Departments can assist

Site Drainage
Page 46

- Need Drainage Cost for Budget
  - 35% vs. 100% Local Funds?

- In 100-Year Flood Plain?

- Control of Watercourses?

- Storm Sewers Adequate?

- Can Drainage Problems Be Mitigated?

California Environmental Quality Act (CEQA) Page 20

- Measures the Project's Environmental Impact

- All Applicants must submit evidence of CEQA completion

  - If CEQA *NOT* Complete, Application is Ineligible

CEQA "Lead Agency"

- Applicant is Lead Agency

- Board is not Lead Agency

CEQA Litigation
Page 47

- Not uncommon to have Legal Actions Pending

  - If So, Explain Litigation

  - Could Affect Timetable and Budget

  - Could Cause You to Choose Another Site

Evidence of CEQA Completion…
Page 20

- Four possibilities:

    - Determine No Adverse Impact

    - Categorical Exemption

    - Negative Declaration
       (Means no negative impact)

    - Environmental Impact Report

CEQA Questions?

- State Library is <u>Not</u> Control Agency for CEQA

- Call Local Planning Dept.
  - Now! – It Can Take Time
  - They Handle CEQA

- State Contact:
  - (916) 445-0613 Governor's Office of Planning & Research

- CERES Web site:
  - http://ceres.ca.gov/ceqa

No Adverse Impact Determination
Page 20

- If Applicant Determines:

    - No possibility the project will result in an adverse environmental impact, **or**

    - The project qualifies for a statutory or categorical exemption, **and**

    - Therefore not subject to CEQA,

  📖 Then Applicant must provide an explanation w/ legal citations

If Categorical Exemption
Page 20

- Applicant must also submit:

  - 📖 Basis for the Claim

  - 📖 Notice of Exemption

If Negative Declaration
Page 20

- Applicant must submit:
  - Final Negative Declaration
  - Notice of Determination
    - Signed by Lead Agency
    - Filed with County Clerk
    - Stamped by County Clerk

If Environmental Impact Report (EIR)
Page 20

Applicant must submit:

- 📖 Final Copy of EIR

  - 📖 Notice of Determination
    - Signed by Lead Agency
    - Filed w/ County Clerk
    - Stamped by County Clerk

  - 📖 Adopted Statement of Overriding Considerations

- Takes time & money

State Clearinghouse Review Submittal
Page 20

- Before Adopting a –
  - Negative Declaration, or
  - Environmental Impact Report

- The Applicant <u>must</u> submit draft environmental documents to the State Clearinghouse:

  State Clearinghouse
  Office of Planning and
      Research
  P.O. Box 3044
  Sacramento, CA 95812-3044

State Clearinghouse Response
Page 21

- The Applicant must consider <u>timely comments</u> made by State Agencies
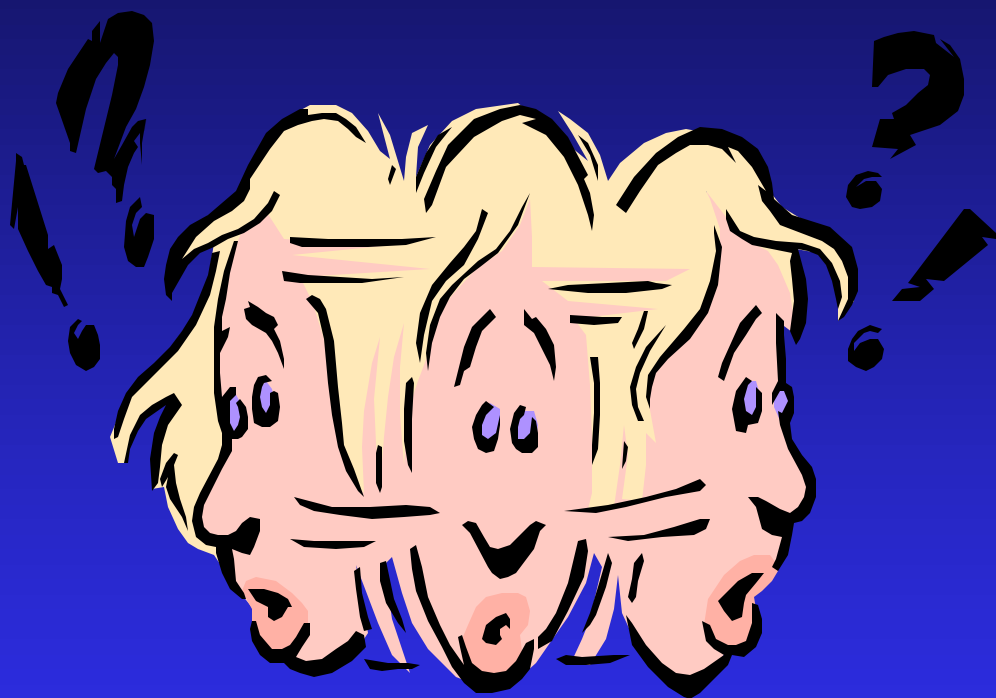
- The Applicant must provide either:

    📖 State Clearinghouse Compliance Letter

<div align="center">

<u>OR</u>

</div>

    📖 Comments from State Agencies

Energy Conservation
Page 47

- NOT an Evaluation Issue

- Capital Costs in Project Budget
  - 35% vs. 100% Local Funds

- Operating Budget Cost Savings

Types of Energy Savings:

- **Site**
  - Building Orientation
    - Solar Access for Daylighting
    - Control Direct Solar Access
  - Water Conservation
    - Storm Water for Irrigation

- **Building**
  - Building Materials
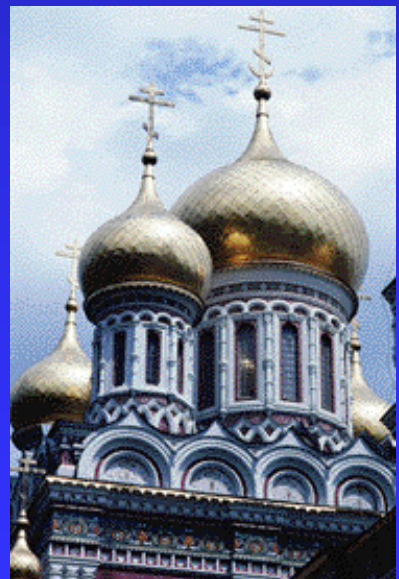 - Mechanical Systems
  - Electrical & Lighting Systems
    - Coordinate with Natural Light

Historic Buildings
Page 48

- NOT an Evaluation Issue

- Impacts Project Timetable

- Capital Costs in Project Budget
  - 35% vs. 100% Local Funds

Historic Buildings

- Historic Status if 50 years old

- Applies to:
  - Existing Library Building, or
  - Adjacent Buildings

- Compliance:
  - Federal
  - State
  - Local

Geotechnical Report
Page 23

☆ A Geotechnical (Soils) Report must be submitted for:

- ◆ New Construction projects

- ◆ Additions to Existing Libraries

- ◆ Additions to Existing Buildings to be Converted into Public Libraries

Purpose of Geotechnical Report

- Reduces Costly Surprises
  - It's Cheap Insurance

- Identify for Project Budget
  - 35% vs. 100% Local Funds

- Reduces Unexpected Delays

- Public Safety

- May cause Site Rejection

Summary of Geotechnical Report
Page 50

- **Summarize Geological Conditions**
  - Soil Properties
  - Unstable Slopes
  - Tunnels & Mine Shafts
  - Active Seismic Zones
  - Excessive Ground Water
  - Location of Bedrock

Demolition of Existing Structures
Page 50

- List any Major Demolition necessary with Costs -
  - 35% vs. 100% Local Funds

- When demolishing a structure, there may be Hazardous Materials present:

  - Asbestos

  - Lead Paint

  - Other Toxics

Utilities Available at the Site
Page 51

- **Checklist:**
  - Electricity
  - Fiber Optic Cable
  - Telephone
  - Gas
  - Cable TV
  - Storm Sewer
  - Sanitary Sewer
  - Water

Site Utilities Cost

- Costs beyond 100' of Site are <u>Ineligible</u>

  - 100% local supplemental funds to bring utilities to site

- Costs to tie to Utilities within 100' of Site Boundaries are <u>Eligible</u>

Site Development – Eligible Costs

- Eligible Project Costs If:

  - Necessary & Related to Project

  - On Library Site, or

  - Within 100' of Legal Boundaries for Tie-in of:
    - Utilities
    - Paving
    - Sidewalks, Curbs, & Gutters
    - Landscaping & Irrigation
    - Traffic Signals

Site Development – Ineligible Costs

- Ineligible Cost, If:

  - Not within 100' of Site Legal Boundary

Site Development – Components
Page 51

- List Eligible & Ineligible Costs
- Checklist in Application Form
  - Parking Structures
  - Special Foundation Support
  - Potentially Toxic Sites
    - Gas Stations
    - Auto Repair Shops
    - Dry Cleaners
    - Industrial Manufacturing

Is it Worth It?

- Site Clean-up May Cause You to Reconsider the Site

    - Determine the Cost Benefit

    - Is High Development Cost Worth It?